

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FLOYD, *et al.*,

Plaintiffs,

-against-

THE CITY OF NEW YORK, *et al.*,

Defendants.

08 Civ. 1034 (SAS)

**NOTICE OF MOTION TO
COMPEL**

Oral Argument Requested

PLEASE TAKE NOTICE that upon the accompanying Declaration of Andrea Costello and exhibits attached thereto, the accompanying memorandum of law and upon all prior submissions and proceedings in this action, pursuant to Rules 34(b) and 37(a) of the Federal Rules of Civil Procedure, Plaintiffs will move this Court, before The Honorable Shira A. Scheindlin, at the United States Courthouse for the Southern District of New York located at 500 Pearl Street, Courtroom 15C, on July 3, 2008, at 11:00 a.m., or as soon thereafter as counsel may be heard, for an order:

(a) compelling disclosure of the entire New York City Police Department's UF-250 "stop and frisk" database for the years 1998 through the present;

(b) compelling disclosure of all materials from the related action of *Daniels, et al. v. City of New York, et al.*, 99 Civ. 1696 (SAS), which are contained in the boxes that Plaintiffs provided to Defendants on March 25, 2008, and April 3, 2008, pursuant to this Court's Order and for which Plaintiff has asserted the relevance of to this action; and

(c) for such other and further relief as the Court may deem just and proper.

By Order of the Court dated May 19, 2008, Defendants shall file and serve their response to this motion by no later than June 20, 2008, and Plaintiffs shall file their reply by no later than July 2, 2008.

Dated: New York, New York
June 2, 2008

By: andrea costello
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